

Predeployment Legal Brief



1stLt Hakes
Legal Assistance Office
Marine Corps Base Hawaii



What This Brief Will Cover

- Wills
- Medical Care Documents
- Powers of Attorney
- Servicemembers' Civil Relief Act
- Marriage and Family Issues



WILLS



What is a Will?

- Tells the world where you want your stuff to go when you die.
- Appoints an Executor or Personal Representative
- Recommends Guardians for children.



You might want a will if . . .

- You have kids.
- You're unusually wealthy or own a business.
- You want to give special gifts to unexpected people.
- You have unusual burial requests.

You Don't Need a Will



If everything you own is pictured here, and you are single, you may not need a will.



WILL PROCESS



- Will process takes *at least* one week.
- If you wait until two days before you deploy, you might not get a will.

Important Notes About Wills



- Keep your SGLI form updated.
- Death gratuity (\$100K) is paid to whomever you select in your Record of Emergency Data.
- If you die without a will, your stuff won't go to the state.





MEDICAL CARE DOCUMENTS

Living Will and Medical POA



- Living will:
 - Near death or in vegetative state
 - Tells doctor to “pull the plug” and if/how to donate organs
- Healthcare Power of Attorney:
 - Choose who makes healthcare decisions for you if you are incapacitated



POWERS OF ATTORNEY

Power of Attorney



- Gives someone the right to “be you” and control your stuff and your money.



Powers of Attorney - 3 Types

- General Power of Attorney (*everything*)
(Think .50cal.)
- Special Power of Attorney (just specifics)
(Think e-tool.)
- Power of Attorney for the Care of Children
Agent can only act on behalf of your children.



More About POAs

- Not always accepted – banks often have their own.
- Can be revoked, but . . .
- Original goes to person who has to use it.
 - Not you
 - Not the FRO
- Keep a copy for yourself.



SERVICEMEMBERS CIVIL RELIEF ACT

Servicemember's Civil Relief Act



- If deploying for greater than 90 days or you PCS, you can terminate:
 - Car lease
 - Cell phone contract (without early fee)
 - Residential lease
- Have to provide written notice to your landlord and/or leasing agent.
- 6% Interest cap on pre-service debt.



MARRIAGE AND CHILDREN

Common Issues We See at Legal Assistance



1) Marines who stop paying their bills and/or supporting their families when they deploy.

- Set up auto-payments for child support

2) Marines getting married to get BAH/get out of the barracks, and then realizing they don't get along with their new spouse and wanting a divorce.

One last thing about your car . . .



- In Hawaii, a seller has to get a bill of sale notarized in order to transfer title to a new owner.
- In other words, if you don't get sale documents notarized, your buyer will be hunting you down while you're deployed.

Homework



- Will and/or living will
- Powers of attorney (as needed)
- Double-check SGLI beneficiaries
- Set up auto-payments for child support



Legal Assistance Schedule

Location: Building 215, next to base flag pole and across from base CO's building.

Phone Number: (808) 257-6738.

ATTORNEY WALK-IN HOURS

TUES & THURS from 0730-1130

Notary and Power of Attorney Hours: M-F 0800-1600